

TONBRIDGE & MALLING BOROUGH COUNCIL

AREA 3 PLANNING COMMITTEE

31 January 2019

**Report of the Director of Planning, Housing and Environmental Health and
Director of Central Services**

Matter for Information

OUTLINE PLANNING APPLICATION: THE ERECTION OF UP TO 840 DWELLINGS (INCLUDING AFFORDABLE HOMES) WITH PUBLIC OPEN SPACE, LANDSCAPING, SUSTAINABLE DRAINAGE SYSTEMS, LAND FOR A PRIMARY SCHOOL, DOCTORS SURGERY AND FOR JUNCTION IMPROVEMENTS AT HERMITAGE LANE/A20 JUNCTION, AND A LINK ROAD BETWEEN POPPY FIELDS ROUNDABOUT AND HERMITAGE LANE. VEHICULAR ACCESSES INTO THE SITE FROM POPPY FIELDS ROUNDABOUT AND HERMITAGE LANE. ALL MATTERS RESERVED WITH THE EXCEPTION OF MEANS OF ACCESS AT LAND SOUTH OF LONDON ROAD AND EAST OF HERMITAGE LANE AYLESFORD KENT – UPDATE

To update Members on the progress of this major planning application for a development of up to 840 dwellings, the provision of public open space, land for a primary school, creation of a new link road through the site, improvements to the existing highway network and other necessary infrastructure provision.

For the avoidance of doubt this application is not yet ready for determination by the Borough Council for reasons that will be explained in more detail below. This report is intended to update the Planning Committee on what matters are subject to ongoing liaison and negotiation between relevant providers and technical/statutory consultees and the applicant before the application can be reported to the Area Planning Committee for determination.

1 Initial planning application

- 1.1 The application was submitted to the Borough Council in June 2015. The application is in outline form with all matters other than access reserved for future consideration.
- 1.2 The development is EIA development and an Environmental Statement (ES) has been submitted in support of the application which addresses the following issues:
 - Socio-Economic
 - Transport
 - Air Quality
 - Noise and Vibration

- Landscape and Visual

1.3 In addition to the ES, the following reports have been submitted with the application:

- Flood Risk Assessment
- Planning Statement
- Arboricultural report
- Minerals Resource Assessment
- Viability Report
- Drainage Report
- Soil and irrigation Report
- Ecological Assessment
- Phase 1 Desk Study (Contaminated land)

1.4 High level and detailed responses were received to the initial consultation process from statutory and other consultees, as well as members of the public. In all over 50 public responses have been received. The issues raised are limited to a small number of topics which can be summarised as follows:

- The existing road system is already very congested particularly Hermitage Lane;
- The proposed 840 houses will only make the situation worse and make it more difficult for emergency vehicles to access the local hospital;
- The additional houses will put a huge strain on local utilities including water supply, GP services, and schools which are already oversubscribed;
- The development will worsen an area which already suffers from poor air quality.

1.5 A summary of how we have sought to address these issues thus far and what further action is necessary is provided below.

1.6 Members will of course be aware that where there is a requirement for the applicant to enter into a planning obligation with the LPA regarding the provision of affordable housing, social or highway infrastructure, open space etc. any such provision has to comply with the tests contained within Regulation 122 of the CIL Regulations. These tests are that the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

2. Highway issues:

- 2.1 Significant concerns were initially raised by Highways England and KCC (H&T) to the application setting out that further information was necessary to demonstrate that the development would not add to congestion and delay across the local highway network including the route to the Maidstone Hospital, the M20 motorway around Junction 5.
- 2.2 KCC acknowledged that some improvement schemes are being progressed by the County Council and others would be undertaken by the applicant. Most notable of these is the provision of a link road through the site from the Poppyfields Roundabout in the north east corner of the site to Hermitage Lane on the western side of the site. However KCC and Highways England required further detailed information on this and welcomed engagement with the Borough Council and the applicant to progress the situation.
- 2.3 Since then, a number of meetings have taken place between the applicant, their highway consultants, the Highway Authority and the Borough Council to seek to address these matters. Discussions are ongoing regarding the trigger points for delivering the various infrastructure improvements.
- 2.4 In addition to the inclusion of the link road through the site, which is considered to assist in alleviating congestion along the A20 corridor and Hermitage Lane, it is also proposed to incorporate a number of other highway infrastructure improvements in the locality, which are summarised as follows:
- Provision of a cycle lane along Hermitage Lane between London Road and Barming Railway Station;
 - Provision of pedestrian and cycle facilities at the Poppyfields Roundabout linking on to the existing network; and
 - Improvements to the Poppyfields Roundabout itself.
- 2.5 These will need to be secured by planning obligation and work has been done to ensure that the improvements come forward at certain points in time to ensure they are delivered in an effective manner.
- 2.6 Further to the above, it is also proposed to make a financial contribution to the improvement of the London Road/Mill Road/Hall Road junction and towards a bus service to and from the site by way of planning obligation.

- 2.7 KCC (H+T) has also clarified where their own planned improvements are to be undertaken to the highway network which will have an important bearing on the level of impact arising from this development. These are to the Coldharbour roundabout and the junction of London Road/Mills Road/Hall Road. With regard to the Coldharbour roundabout, a planned improvement scheme is currently programmed for completion in 2020. A scheme has been developed by KCC for improvements to the Mill Lane/London Road/Hall Road junction. Whilst there is not as yet a timescale for the delivery of this scheme, the applicant has committed to making a financial contribution to the cost of this junction improvement.
- 2.8 Negotiations will need to be undertaken between the LPA, the applicant and KCC to agree the necessary trigger points for delivering these essential infrastructure improvements and schemes to mitigate the impacts of the proposed development. Work will continue over the next few months to resolve these matters so they are agreed prior to the application being reported to the Area 3 Planning Committee. Indeed a meeting has recently been held between KCC and the applicant regarding these matters. Information arising from that meeting that is able to be shared in the public domain will be reported in a supplementary report.

3. GP Surgery

- 3.1 Initially the submitted plans provided an area of land to be set aside for a new GP surgery. The initial response from the CCG stated that the development would create a need for additional GP facilities that could not be accommodated within existing facilities in the local area.
- 3.2 The CCG considered that the development itself would not trigger the commissioning of a new General Practice but supporting the growth of existing practices may be an option to pursue. As an alternative to on-site provision, a financial contribution could be sought to enable existing services in the local area to grow to meet the demands placed on the NHS by the proposed development.
- 3.3 A revision of the Master Plan was submitted in August 2018 which removed the parcel of land that was previously identified for a new doctor's surgery. This was in part due to the fact that the actual area required for a new facility had not, at that time, been clearly identified by the CCG and also because the CCG is still considering several different options to address the impact arising from the development and the needs for the wider population of Aylesford.
- 3.4 Following the submission of the revised Master Plan omitting land for a GP surgery, over 100 additional comments were received from members of the public objecting to this aspect of the development

3.5 To be clear, the applicant fully intends to make provision for health services in the local area that properly mitigate the impact of this proposed development and has indicated that the inclusion of land for a new health service could indeed be designed back into the masterplan. However, this will depend upon the CCG being able to identify how best to develop its plans for future health provision within the Aylesford area. The CCG is developing its own plans for health provision in the wider area and various options are still being considered as set out in its latest response to the development proposals. One option is to create a mini-hub for a health service that would provide more than just a doctor's surgery. Whether this is to be provided on or off-site is an ongoing matter under consideration jointly with the LPA, the CCG and the applicant. In either scenario the applicant will need to make appropriate provision for health services that is necessary to mitigate the impact of the propose development.

4. Primary School

4.1 Initially land was shown to be set aside of a sufficient size to accommodate a 1FE primary school to serve the development.

4.2 KCC has advised that the development would generate a need for more primary school places than could be accommodated within a 1FE primary school. Furthermore, new schools are built by academy and other trust types of organisation, not the local education authority. I understand that school providers will simply not build 1FE primary schools. As such, the provision of land to accommodate a 1FE primary school would not successfully deliver a school necessary to mitigate the impact of the development.

4.3 In light of this, the proposed Master Plan was revised in August 2018 to show sufficient land set aside for a 2 FE primary school. The site of this school has moved away from the central part of the site to the western side of the site, close to the junction of the proposed link road and Hermitage Lane.

4.4 KCC has agreed that the site currently proposed for a 2FE Primary School is of an appropriate size to provide this infrastructure and further negotiations as to how this is to be successfully delivered will take place accordingly.

5. Air Quality

5.1 A review of the submitted Air Quality Chapter of the ES has been undertaken by external consultants appointed by the Borough Council. Additional information and clarification has been asked for by the consultants and the applicant intends to respond in detail in due course. The air quality impacts of the development are, of course, intrinsically linked with the Highway impacts. Delivering infrastructure improvements to the highway network should ensure that air quality is not made worse by the development and, potentially, should improve the situation in the locality.

6. Other matters

- 6.1 In response to the initial comments from KWT regarding the impact of the development upon the Skylarks that currently use the site, the applicant has commissioned consultants to consider potential Skylark mitigation measures off site. The applicant has approached numerous organisations/agencies/land owners and one site/option is being pursued.

7. Concluding comments

- 7.1 Officers will continue to work with statutory undertakers/key stakeholders and the applicant to ensure that the essential infrastructure required to make this development acceptable in planning terms in all respects is delivered as part of the development at the right time and that all other outstanding environmental matters are also dealt with appropriately prior to a recommendation being put forward to this planning committee.
- 7.2 It is unlikely that the application will be ready for determination at the next meeting of the Area 3 Planning Committee on 21 March, but officers will make all best efforts to report the application for determination at the following meeting in April.

FOR INFORMATION